The Rutland Daily Globe.

MONDAY, AUGUST 11, 1873.

TERMS IN ADVANCE.

DAILY—	Per month	75
	Three months	$2 00
	Six months	4 00
	One year	8 00
WEEKLY—	Three months	75
	Six months	$1 25
	One year	2 50

Address GLOBE PAPER CO., Rutland, Vt.

We published, Friday, an unusually and extraordinarily large edition of THE WEEKLY GLOBE, which, however, was exhausted in less than two hours after the first copy was printed. We have not even a copy left for our files, and are, therefore, compelled to request a favor of some of our subscribers. If there should be any among the number, who do not care about preserving the last number of the weekly—that of Friday, August 8th, they will confer a personal favor on the editor by sending to us one or more copies. The favor will be reciprocated should occasion offer and we will pay a good price for fifty copies if desired.

Our brethren of the Vermont republican press persist in "trotting out" candidate after candidate for the gubernatorial nomination, although the election does not take place until September, 1873. As certain individuals are so, from time to time, presented, we cannot forbear saying of some of them, individually, as an Ohio editor did of a proposed candidate for Governor, in that state. If they "are determined to offer up a victim, let them by all means give us *him*. He is lovely in life, but as a political corpse he would be surpassingly beautiful; and then, he would die so easily." We leave it for the friends of several—not all—of the candidates mentioned to make the personal application.

Our local columns, Saturday morning, contained a brief notice that the publication of the *Vermont Medical Journal* was about to commence in Burlington; and, in connection therewith, it was, inadvertently stated that "this will be the first undertaking of the kind in the state." We say, "inadvertently" stated, because while everything in the item referred to may be, and, probably is, strictly true, yet a wrong impression is created thereby. The *Vermont Medical Journal* will *not* be the "first undertaking" of publishing a medical journal or "periodical" in Vermont. In March, 1846, John B. Hibbard, M. D., then a resident of Rutland and a practicioner of one of the many new schools of medicine—in contradistinction to the allopathic, or old, school—issued the first number of the "Eastern Medical Reformer," a "monthly journal of medical and chirurgical science," of which Dr. H. was "editor and proprietor," and which was printed and published in Rutland. It had for its motto, *Margna est Veritas et Precalebit*, and was published for six months at least. We are under the impression that only six numbers were published, as we have six numbers thereof, and it purports to be—and if our memory serves us right, is—a complete file thereof.

During the reunion days, we, our associates and assistants, kept on in the even tenor of ourways. We did not brag, flutter or blow our own trumpet. We did not keep from twelve to twenty-four and forty-eight hours behind our neighbors. We were not compelled to "hastily compile" a column and a half of matter in reference to the Vermont soldiers from an evening newspaper. We did not import a reporter or any other extra assistance; nor go around inquiring where telegraphic dispatches came from. We obtained the news, as always, fresh, and published it promptly. Take Thursday, for instance: Our morning edition of some twenty-five hundred copies was soon exhausted; a second of about the same number was speedily sold, and not half a dozen copies was left of a third edition of about half the number. A large evening edition—numbering about twelve hundred copies—was all sold as was, also, the one of Wednesday. Friday was a repetition of Thursday's experience, and yet so great was the demand for THE GLOBE, that we were compelled, Saturday morning, to leave out a large number of advertisements and republish the speeches of Thursday, first published in THE GLOBE, Friday morning, *twenty-four hours in advance of any other New England newspaper.*

SUPERCEDE HIM.

Thank God, the President *pro tempore* of the United States Senate is only, as its name indicates, for the time being. Statute law does not fix the term during which a President *pro tempore* of the Senate shall serve. It is a matter regulated entirely by custom and usage. All the law there is upon the subject, if it can be called law, is found in the fact that such an officer is recognized, in the constitution and one or two statutes. If we are not greatly mistaken, the standing rules of the Senate do not make any provision even for the election of such an officer. Custom and usage, however, as we have said, govern the matter, and the Senate has the right and power to elect a different temporary presiding officer daily, if they should see proper so to do. The constitution gives the power, and custom or necessity—or both—regulate its use. The constitution says that "the Senate shall choose * * * a President *pro tempore* in the absence of the Vice President." Well considered parliamentary authority declares that "his office is understood to be determined"—that is the office of any temporary presiding officer—upon the appearance of the regular officer, "or at the meeting of the Senate after the first recess." So that either in accordance with custom and usage or by parliamentary law, it will be the duty of the United States Senate, in the absence of Vice President Wilson, immediately after their assembling to elect a President *pro tempore*. We thank God, reverently, for this custom and usage, and for this construction of the duty of the Senate in the premises. Devoutly we pray that God, in His infinite mercy and compassion, may spare the life of Henry Wilson.

We never expected to live to see the day when we should feel called upon to regard the possible elevation of a son of Vermont, as a humiliation to Vermont and a disgrace to the nation. When Solomon Foot was President *pro tempore* of the Senate and only one life was between him and the presidency of the United States, we all felt safe because the honor and integrity of the nation would have been safe in his hands, if that one life had been removed. Solomon Foot would have honored the nation, and Vermont would have partook of the honor, and have proudly pointed to her noble son. With sadness and a feeling of deep humiliation, we recognize the fact that a son of Vermont has been selected to fill the place so long and so honorably filled by our late Senator, townsman and friend. With shame and disgrace we recall the fact that a son of Vermont, a Senator from a distant state, is President *pro tempore* of the United States Senate, and that but two lives are between him and the office of President of the United States. We all know the frail and tender thread by which Henry Wilson holds on to life, and we remember that three Presidents died in office within a quarter of a century. If they should be called hence before the first Monday of December, imagine, if you can, the ineffable shame, the humiliation and disgrace of seeing Matthew H. Carpenter in the seat of Washington, Adams, Jefferson, Jackson and Lincoln. The mind shrinks from the bare contemplation thereof. His alleged course and conduct during the past few weeks shall not sully our columns by their narration, and there is no necessity for it, because notwithstanding the attempt made in some quarters to hush up the matter, and the natural shrinking from making public our country's shame, the facts are well known. In the name of the people of his native state, in behalf of Vermont, we demand that the first act of the United States Senate, upon reassembling, shall be to elect a President *pro tempore* other than Vermont's recreant son, Matthew H. Carpenter.

THE GRANDEST DISCOVERY OF THE AGE.

This is truly an age of progress. Discovery after discovery and invention after invention mark the passage of time, and make the thread bare statement that we are living in a wonderfully progressive age a living, breathing reality. As a newspaper, we strife to keep pace with the onward march of events, and chronicle, from day to day, each new invention and discovery, while they are yet new and fresh. Discoveries are not confined solely to the world of science, art, matter, etc., but philosophic minds, by deep study, thought and reflection, sometimes eliminate wonderful principles and truths that, at first, startle the world by their brilliancy and importance, and then excite a feeling of surprise that truths, so vital to the existence of a free people, and principles so wide spread and all diffusing in their possible results, should have been so long overlooked. With pardonable pride that the discovery, and the announcement thereof, should have been made in Rutland, and with, perhaps, a trifle of lingering jealousy that our cotemporary "got the start" of us, we propose to do our share in spreading the glad tidings. It was stated, Saturday morning, not in THE GLOBE, however, and we will quote the sentence, entire and ungarbled, italicizing a portion thereof, so that the grandeur, brilliancy and importance of the discovery, elimination, idea, or whatever you may call it, can be seen at a glance. Here it is: "It is often remarked that one foreman "*will accomplish more work* with a given "number of men without apparently "greater effort, or without harder work "by the men, *than another who does not accomplish near as much.*" Comment is unnecessary. The principle is an important one. To the shame of civilization and of the nineteenth century, all of our statesmen, scholars, philanthropists, philosophers and teachers have been groping on in gross darkness, waiting for the man of the hour—such a man as every great and important crisis always produces—to make the discovery and, with suitable words, proclaim the same, that one man "will accomplish more work" "than another who does not accomplish near as much." We hail this benefactor of mankind and bid him God speed in his labors. We are doubly proud of Rutland that the discoverer lives and labors in our midst. Friend and benefactor of mankind hail, but, we trust not, farewell.

VERMONT COURTS AND VERMONT RAILWAYS.

We publish, herewith, without comment, an article in reference to the Central Vermont railroad—or, perhaps, more probably its predecessors—and the connection of our judiciary therewith. The source from which it came entitles it to a careful perusal and attentive consideration, even from those whose views may not coincide therewith. We present it at once, and to the exclusion of other matter, on account of the commanding interest of the subject matter, reserving our own comments thereon until another day. We can but commend its consideration to our readers, as we are all, more or less, interested in the matters it discusses, and it is only through discussion—hearing both sides—that we can arrive at the truth.

RUTLAND, August 8, 1873.

Editor Rutland Globe:—In connection with the recent embarrassments, troubles and litigations of the Vermont Central and Vermont and Canada railroads and their managers, there has, of course, been a vast deal of editorial comment, and both newspaper wisdom and newspaper bombast have been brought to bear upon the important subject. The property involved is of vast amount, and the interests connected therewith are of great importance, both in a general, public and a financial sense, and since the day the paper of the trustees and managers went to protest, there has scarcely passed a week which did not develop some new feature in the warfare against their credit and reputation or reveal some new fortification erected by the defense. The Boston *Traveller* mounted a mortar for that express purpose, and hurled shells, which exploded in the stock markets, and damaged "the two million and a half loan," beyond hope of repair, and many other papers, both in and out of this state, scented the battle and trained their guns in the same direction. Then, of course, defenders sprang up and the war grew spirited, unrelenting and bitter, and opponents were careless of the weapons they used, so wounds could be inflicted.

On the 6th of December, 1872, the Vermont and Canada railroad filed its petition for a summary order on the managers for the payment of their rent due six days before, amounting to $120,000, and the eyes of all parties interested were at once turned to the Court of Chancery for Franklin county in anxious expectancy. Of the pendency and disposal of that petition I shall speak shortly. It was followed in rapid succession by others from the Vermont and Canada, the mortgage bondholders and various parties in interest, which have kept the court harrassed and busy even up to the present time. The decisions rendered upon these petitions have been in the aggregate favorable to the managers, or, as some prefer to say, the "monopoly," and the last of these, given on the 21st of June last, removed the trustees and managers from their position as such, by their request and appointed the Central Vermont railroad company, a corporation, receiver and manager of the vast and important trust property of the security holders of the Vermont Central and Vermont and Canada railroads under bonds in the sum of one million dollars for the faithful discharge of its duty, under the orders of the court. Almost immediately upon the rendering of this decision came a lull in the wordy storm which had been beating round the outgoing officials and the dogs of war were unloosed upon the judiciary of this state. A correspondent of the Springfield *Republican*, in an article published July 25th, struck the heaviest, most insulting and most ignorant blow, which was followed up by a three column editorial four days later, and since then has been heard the rattling of such small hammers as the St. Albans *Messenger*, Woodstock *Standard* and other papers which we should suppose would be unwilling, hastily and ignorantly to condemn the judiciary of their own state, on which, so far as the writer is informed, no shadow of blame or doubt has ever rested since the organization of our government.

It is not my purpose, however, to refer to these articles in detail, that being more properly within your editorial sphere, and I shall confine myself, as closely as possible, to my specific purpose which I will define as follows: The articles and comments which have appeared in the public prints in relation to the various phases of this controversy have been for the most part in journals of good standing and many—nay most of them—have manifested ability and learning. Some of these to the writer's certain knowledge have been the work of men of good, and even of high standing in the legal profession and acquainted with the forms and practices of the Vermont courts. The writer trusts and believes they have generally been honest, and yet so far as his observation has gone, they have without exception contained more or less false or mistaken assertions or assumptions, and have universally shown the ignorance of their writers regarding the true status of the great suit in Chancery which is the center, and nucleus of all the *litigation* connected with this railroad war. Nor is this to be wondered at, for the case has no familiar precedent, if indeed any precedent case be found, and so different has been its course from the course of ordinary chancery practice in this country that it may almost be said to be "a law unto itself," and only study of the case can itself qualify a man, be he never so familiar with the paths that in his opinion it ought to have followed, to judge of its merits. From a careful examination, with such aids as are accessible, it is my purpose to give a condensed history of the case, with particular reference to its recent features and the action of the judiciary. It is not my purpose to follow the genealogy of the Smith family or of any members of the "Ring" back into the third or fourth generation, to prove by moral induction the propriety or impropriety of their wealth, but merely to define from a disinterested standpoint the status of the said "Vermont and Canada Railroad Company vs. Vermont Central Railroad Company and others," in Chancery.

For my purpose it will not be necessary to go back of the final decree which at the same time ended and begun this cause, except for a brief explanation. The suit was commenced in 1855 ostensibly upon the same ground of complaint as that of the proceedings instituted last December, namely, the nonpayment of rent to the Vermont and Canada road, which road was held as a leasehold estate by the Vermont Central, and by the terms of their contract, in case of failure to pay rent by the Central, the Canada was to have the right to enter upon and run both roads until its claim should be satisfied. This contract was held to be valid and binding by the court, and accordingly on the 17th of May 1855, an order was made putting the Canada Company in possession, and it continued to run and operate the roads for about the space of one year, when an agreement was made by the parties in interest, and on the 6th of May, 1856, all parties in interest appearing and assenting, an order was made by the Chancellor that possession of the property be restored to the trustees of the first mortgages to be managed by them as receivers of the Court of Chancery in the interest of the security holders. The measures it would appear, were intended as a temporary provision for the care and management of this vast estate pending the final decree of the Court on the Orator's petition. In April, 1860, this decree came, granting the prayer of the petition. A prompt appeal from this decision to the Supreme Court was taken by both parties and the case was heard by the Supreme Court at its January term, 1861, and is reported at length in the 34th Vermont. In the opinion of the Court, delivered by Judge Barrett, the rights of the Canada company under their contract with the Central are recognized and established so far as to entitle them to their rent, which is fixed at the sum of eight per cent. per annum upon $1,348,500, the cost of construction of their road, but, says Judge Barrett, "In the present position of the case, the Court being unable to decide that that the Orators are entitled to the possession of the roads, property, etc., it seems obvious in view of the character of the property and of the various interests involved that the only proper or practicable course is to have the roads and property remain in the hands of receivers under the control of the Court of Chancery. A mandate will be drawn in detail according to these views and points of decision and sent to that Court."

It should be remembered that the orator had prayed *either* for the possession of the roads or the appointment of receivers. Thus the matter was settled and in obedience to the mandate referred to we have the "Decree of 1861" continuing the possession and control of the roads and property "in the present receivers, Lawrence Brainard, Joseph Clark and John Gregory Smith subject to the orders and directions of this Court with power of removal at all times." Considerable stress has been laid upon the fact that this decree was not recorded in the Clerk's office until after the entry of the next decree in the cause in 1864. The writer has been unable to learn any reason for this save the natural supposition that its preparation was delayed by supplemental proceedings which were pending between its rendition and enrollment and perhaps, too, by the extreme length of the document itself, but in the decree of 1864 occurs the following clause: "1st, The decree in the original cause to be drawn up and enrolled pursuant to the decision of the Supreme Court therein." The explanation and construction of this I leave to my legal friends and proceed to the decree of 1864 which was the "Compromise Decree" so much depended on and discussed by the press and the parties.

All parties in interest appeared personally or by authorized representative and assented to this important decree, the purpose and intent of which seems to have been more clearly to define the rights and duties of all parties, which had been previously established in comparatively general terms. By this decree, to the validity and competency of which no objection has ever been made by either party, three men to be elected annually at a public meeting by the First Mortgage Bondholders are constituted a committee with authority and directions to advise and consult with the receivers and managers respecting their management of the property, to examine their books and papers at all times and audit their accounts with trust. It would appear therefore that the interest of the first mortgage was given at least a reasonable voice in the conduct and management of a property in which there still was at best only a contingent one.

There was made provision for the other three existing interests, namely: the Vermont & Canada and the Second Mortgage, with intent to provide against precisely such contingencies as those which have lately arisen. The receivers and managers were to file their accounts in the Court semi-annually, and any man holding one share of Vermont & Canada stock or one Second Mortgage Bond could go in or send in to examine those accounts, could file his objections to any item or items which he saw fit to object to, and the Court was open to him without formality or delay. The objectionable items of account would be sent out to a master to examine and report upon, and such relief given the complainant as to equity might appertain. It is scarcely possible for any one familiar with the practices of Courts of Equity to conceive of any way in which more simple or more complete representation could have been given to the various interests in this cause.

By this decree also the cause was ordered to be continued upon the docket of the court and to remain open to all parties at all times.

From the date of this decree up to the time of hearing on the petitions of the Vermont & Canada for payment of their rent, filed December 6th, 1872, numerous petitions were preferred in the cause, generally by the receivers and managers for orders and instructions on the administration of the trust. It is, perhaps, unnecessary for our present purpose to refer to these in detail, and we would only remark that in no case does there appear to have been any neglect or failure to give proper notice to all parties interested, and in no case were any objections made. Many a slur has been cast upon the Court of Chancery of late, for granting the prayers of these petitions, assented to as they were, by all parties having the right to a voice on their hearing.

To the unprejudiced legal mind these things are simply ridiculous. Was it the duty of the Court of Chancery to say: "Gentlemen, you authoritatively represent all the interests in this trust which we, as a court, are called upon to administer; and your assent may be entitled to some weight but we will get down from the bench and go out and investigate this matter for ourselves, outside of the evidence you offer before us, and then we will decide as seems proper to us?"

As well in a jury trial when a suit has been settled during its progress and the parties appear in open court and assent to a verdict and judgment in accordance with the terms of their agreement, for the presiding judge and the jury to go out and examine the property in litigation and then accept or ignore the agreement offered at their pleasure or according to their judgment as individuals.

Up to the year 1866, and including a part of that year, the accounts of the receivers with their trust were regularly filed in obedience to the order of the court. These accounts remain on file and as they have never been formerly passed and allowed by the court they are open to-day, for any party having a right, to examine and object to if he sees fit, according to the provisions of the decree of 1864.

Since that time the receivers have neglected to file their accounts in the cause, assigning as a reason for their neglect that the auditing committee prefered to examine them as they were kept in minute detail upon the books of the management. This is evidently a non-compliance with the order of the court, but it is equally evident that the parties in interest knew or could have known of this neglect and there is no reason whatever to doubt that on petition from any one of them there would have issued from the court to its officers a summary order for compliance with their instructions to the very letter. No such petition was ever preferred. Would it be considered the duty of the Court of Chancery, no word of complaint having been heard from any party to the cause, to go and examine the files and records in the office of its clerk and on discovering the absence of these accounts to spout up authority as an artesian well might spout water, and summon its officers to answer for this delinquency which the parties to be injured thereby might, and as a matter of duty should, have discovered and complained of, if reason for complaint they saw? Just about as reasonable would have been an overhauling of the advisory committee for neglecting to compel the filing of these accounts.

After this long reign of peace and quietness, hostilities were again opened in the Court on the 6th of December last by the Vermont and Canada railroad company, which, through its President, filed on that day a petition setting forth in substance that their rent was six days over-due and unpaid, although the receivers and managers had in their possession sufficient funds for its payment, or would have had if the same had not been improperly expended, and praying for a summary order for payment of the rent with interest from the time of its becoming due. During the pendency of that petition two others were filed; one by the Canada company and the other by certain bondholders, both praying for the removal of the receivers and managers on account of alleged frauds and peculations, mismanagement and misappropriation of the funds and property of the trust. After some delays by request, of parties, these three petitions came on for hearing, all together, on the 18th day of March, 1873, before chancellors Royce and Redfield, at the court house in St. Albans. An answer to the petition of the Canada company for their rent was filed by the receivers, denying that they had money in their possession, and applicable to that purpose, sufficient to pay the rent prayed for, or any part thereof, or that they had improperly expended any of the funds of the trust. Thus the issue was made up and the whole matter resolved into a question of what monies had come into the hands of the receivers, and what, if anything had been done with them, which question could only be received through an accounting between the receivers and the trust estate. That accounting the Court promptly and in our humble judgment, rightly refused to sit as a court and take, and so the case ran aground almost at the very moment of its clumsy launching.

It is unnecessary for us to attempt support of a ruling so manifestly proper that to a tyro in the science of equity and jurisprudence, its propriety is self evident. Courts of Equity never take accounts save in the form of masters' reports, and that this is a wise and necessary rule cannot for a moment be doubted. The Court in this case said to its petitioners: "We cannot in equity require our officers to pay over to you money when they say they have none, and there is but one way to decide whether they have or not, but although you do not in terms ask it, we will, if you desire, order these receivers and managers to file their accounts. If they have money it will then appear and you can demand its application to the payment of your claim. If they have had the money but have improperly expended it, you have the undoubted right to object to the items of improper expenditure, be they few or many, and the Court will adjudicate them according to its course." And the Vermont and Canada railroad company, by its President, replied: "We don't want their accounts: we want our rent, and since we are refused that, we will take nothing, but will withdraw our petition."

The Vermont and Canada railroad company and certain of the mortgage bondholders had filed their several petitions for the removal of the receivers and managers, or some of them, for the reason, and for no other reason substantially, than that they had misappropriated the funds and property of the trust.

Then it was again a simple matter of accounting between the receivers and their trust. Again was the attempt made to introduce this accounting in form of evidence before the chancellors, and as before, it was promptly ruled out. One of the counsel for the bondholders then moved the Court to appoint a master to take the accounts of the receivers. To this the Court replied: "Our course is clearly marked out for us by the decree of 1864. We will not appoint a master to the endless and useless task of taking all the accounts of these receivers, but if you desire it we will order them to file their accounts in this court in the course prescribed by that decree, and any items, or the absence of any items therein to which you may object, shall be sent to a master to investigate and report to this court for the adjudication thereof."

Upon the announcement of this corrupt and oppressive decision the petitioners expressed in a gentlemanly manner their disgust and the utter contempt in which they held the court, indignantly withdrew all their petitions and shaking the dust from their feet, went out. The reason of this persistent refusal of the petitioners to prosecute their cause in the manner so clearly marked out by the decree which they regard as pre-eminently valid and binding, is a mystery which, as it is entirely out of our province, we shall make no attempt to solve. The fact that while by inuendoes and asides they claim the illegality and insufficiency of their representation in the granting of former orders and decrees but carefully refrain from taking steps to bring the matter—a very simple one to all appearance—to direct issue is equally dark and inexplicable.

The next important move in this cause was the application of the receivers and managers permission to turn over the property under their charge as such to a new receiver, namely the Central Vermont Railroad Company, and because of the granting of this request the Court of Chancery has been most fiercely attacked by certain of the newspapers of this country, and some of the astute wielders of that implement of warfare which is "mightier than the sword," have managed by a course of reasoning more profound than either sensible or logical to drag in and villify the whole Supreme bench of this state. Let us look at the matter for a moment, merely suggesting in the outset that although the practice in other states may be, and in many instances doubtless is, different, it has always been looked upon here as proper for courts to render their decisions upon the evidence and arguments brought before them in their judicial capacity only.

Objections were made to this change in management by the Vermont and Canada Railroad Company and by certain bondholders, substantially upon the following grounds:

First—That the Central Vermont Railroad Company was not a party to this suit, and that it was improper for the outgoing receivers to nominate their successors.

Second—That they (the objecting parties) were ready and willing to nominate successors to the then incumbents.

Third—That a corporation ought not to be a receiver.

It was shown to the court upon hearing that the then receiver had, for many reasons, become unable to administer the vast trust estate under their management in a manner to best meet the interests of all the parties concerned; that they were unable to command the funds necessary for its conduct and development, and that a change was immediately and imperatively demanded. The court found that the Legislature of Vermont had created this corporation and had nominated it for appointment by the Court to the receivership of this trust estate with a view to its ultimate removal from the custody of a court harrassed and villified of necessity and from the very nature of things by its administration, and the court saw fit to recognize this nomination, and upon the evidence to make the appointment. It removed from the possession and management of the property the former receivers and managers without impairing by one jot or tittle their responsibility to the owners of the trust estate for all their acts. It ordered the settling of their accounts in full and leaves them open to inspection and objection, holding these officers in its direct custody and under its orders until the last farthing is settled and accounted for. It places the new company precisely in the same position which the old receivers occupied as regards its accountability and responsibility and under bonds of one million dollars as an additional security for the faithful discharge of its duty.

This is the "corrupt Vermont court" the slave and tool of the ring monopoly!

The writer does not pretend or wish to enter upon the merits of this contest outside of the courts. He does not enter in any wise upon the question whether citizens of this state who have always hitherto possessed the respect and confidence of the people, have suddenly developed into villains and thieves, or whether the wires which rule and order this contest are pulled by stock-jobbers and speculators, whose names are only known in the circles of finance.

But he is persuaded that we are now for the first time, in a way to find out the truth, and when in obedience to the order of the court the accounts of the outgoing receivers and managers are presented for settlement, the real matters at issue will be fairly and squarely reached, and he believes as every true Vermonter that in the courts of this state, traduced by a rural and hireling press in vain against the testimony of our knowledge and of our experience, if in any tribunal under Heaven those who have in any wise been wronged will find justice both quick and sure.

Here at home these slanders upon our judiciary will be received with the contempt they merit, but when within our own borders are found men sitting in editorial chairs, whose eyes should be undazzled by any yellow glitter, pen and publish unblushing assertions that our judiciary department is corrupt and rotten, the tool of a despotic railway monopoly; that Homer E. Royce has been bought with a price and that Timothy P. Redfield as a matter of courtesy assented to and supported a decision he knew to be unsound and corrupt, it is time, for the honor of our state abroad, it is time for you, true members of the Vermont press, and every one of you, boldly, honestly and faithfully to speak.

VERMONT.

A MYSTERIOUS DISAPPEARANCE.

A Young Woman Claiming to have Relatives in Rutland.

A young woman giving her name as Dora Llewellen, about nineteen years of age, employed as a domestic in the family of Horace Batchelor, at South Sutton, Mass., left the residence of Mr. B. on Sunday, August 3d, clad very scantily, without shoes or bonnet, and had not been seen since up to Saturday last. She is supposed to be slightly insane and her mysterious absence has given rise to serious apprehensions.

A note from Rev. Philip Berry of East Douglas postoffice, Worcester, Mass., says the name Dora Llewellen is probably only an assumed name, as she called herself Agnes Faith Fuller in Worcester. She said she had an uncle living at Rutland, Vermont, who was a farmer, with whom she worked for some time. She also says she has a brother in Rutland who is living with and caring for an aged grandmother.

Any information relative to this young woman can be left with J. B. Kilburn, Esq., postmaster at Rutland, or addressed to Rev. Philip Berry, East Douglas, Worcester county, Mass.

The Worcester South *Compendium* published at East Douglas, Mass., in its issue of Saturday last, in speaking of her mysterious disappearance, says she came to serve as a domestic in the family of Mrs. Horace Bachelor, in South Sutton, on Thursday, July 31st, and until Sunday seemed very homesick—would weep like a child, and seemed glad to call that her home, and asked Mrs. Batchelor if she would not be a mother to her. She also spoke frequently of suicide, asked the direction to the nearest ponds and inquired their depth; she also asked for a rope in order to make a swing, and said that she knew her father's and mother's spirits were watching over and waiting for her, and that they would welcome her as soon as she felt life intolerable, and chose to deprive herself of it. Upon her first disappearance it was naturally supposed she had drowned herself, but it was afterwards learned that she had taken to the woods and had asked on Monday morning for a drink of water, four miles from her starting point, near Putnam hill.

When she came to Mrs. Batchelor's she wore a very neat black alpacca polonaise and skirt trimmed with ruffles, a pretty straw bonnet trimmed with black ribbon and a wreath of tea roses and buds; she also had on a new pair of ladies' boots; she wore no gloves or collar. Her attire was tasteful and becoming, but when she left she wore only an old calico wrapper and a pair of stockings, without bonnet or shoes. When she was seen on Monday morning she had no stockings on, and her feet were terribly torn and gory from her march through the woods. During the day and and night following she was heard moaning in the woods, but a dilligent search of three days has failed to discover her whereabouts. Several circumstances lead us to think she is dead; her feet, which were sore and tender before the terrible lceration they received in the woods, would unfit her to travel far after she once rested them; the general bodily reaction which would ensue from sleeping these cold nights upon the ground, her not having eaten for several days before she left—in a word, exposure, exhaustion and reaction would soon wear out her life.

She called herself Dora Llewellen; said she had a sister and guardian residing in Boston, who formerly had lived with her at Oxford, that till within a year she had lived in New York city, that she had a brother living at Rutland, Vt., was familiarly called "Dolly" by her family, and that she was 19 years of age.

She was a well-formed person, weighing about 150 or 160 pounds, of fair but freckled complexion, light hair cut short, bordering on red. No earthly soul about here knows one word of her history.

The article says the facts are that she is a poor broken hearted girl of Scotch descent, who has left her home for reasons best known to herself and her God.

She is a person of more than usual culture, reading much in Burns' Poems, the only book in her possession. She sang and played well, and her whole demeanor was very lady-like and becoming a well-bred person. A stranger among us, we feel a special obligation to care for her if deranged and alive, or to discover her fate if dead.

Mr. Elias Lovell of Millbury reports her having lived with him since last February. She proved to be a kind-hearted, faithful maid, and called herself Agnes Faith Fuller while there. He obtained her in Worcester, at an intelligence office kept by a colored man. She showed symptoms of derangement during the last week of her stay there, and he thinks she is either dead in the woods, or else has drowned herself, for she often "wished that she was dead."

PROBATE COURTS.

District of Rutland.

HON. WALTER C. DUNTON, Judge.
THOMAS C. ROBBINS, Register.

August 1—Jacob Fuller appointed guardian of Oliver, Horace, Frank P, and George L Allen of East Wallingford.

Rev Samuel Sparhawk's estate Pittsfield; list of claims returned and approved.

August 2—Ashley Clark's estate Middletown; settlement of Moses E Vail, administrators account, September 2d.

August 4—John S Dawson of Salem, N Y, appointed administrator of the estate of Leland Dawson, late of Shrewsbury; M H Dickerman, Edward Chilson commissioners and appraisers.

August 5—Otis G Jones of Shrewsbury; will filed; probate September 2d.

License granted to administrator of estate of Rev. Samuel Sparhawk of Pittsfield, to sell real estate.

August 7—Emery Johnson's estate; will filed; probate September 2d.

District of Fairhaven.

HON. J. B. BROMLEY, Judge. HENRY I. CLARK, Register.

A summary of the business transacted in the Probate Court, for the District of Fairhaven, during the month of July:

July 1st—Herman W. French's estate, Poultney. Fayette Barney and J. S. Benedict appointed commissioners to set out dowery and homestead.

July 7th—George A. Chappell, minor. License to sell real estate granted guardian.

Alanson Rice's estate, Poultney. Account of W. H. Poor, administrator, allowed.

July 11th—Ellis Lacy, minor. Petition for license filed and referred to August 11.

July 14th—Samuel Cole's estate, Pawlet. Bill proved. D. D. Cole and Wrightman J. Cole appointed executors. Bond, $8,000.

July 21st—John and Cora Dyer, minors, Hampton, N. Y. Julia A. Dyer appointed guardian. Bond, $300. Petition for license filed and referred to August 18.

H. C. Atwood's estate, Castleton. Account of H. Ainsworth, administrator, allowed. Assignment of personal property made to widow.

Samuel Cole's estate. Inventory returned and approved.

July 24th—Lewis Andrees, estate, Poultney. List of claims returned and approved.

July 28th—Lydia Aborn, Fairhaven. Certificate of sanity filed by guardian. Guardian discharged.

July 30th—Thomas N. Boutwell's estate, Castleton. Bill filed and referred to August 25.

Forget not the Dead.

Forget not the dead, who have loved, who have left us,
Who bend o'er us now, from their bright homes above,
But believe, never doubt, that the God who bereft us
Permits them to mingle with friends they still love.

Repeat their fond words, all their noble deeds cherish,
Speak pleasantly of those who left us in tears,
Other joys may be lost, but their names should not perish,
While time bears our feet through the valley of years.

Dear friends of our youth, can we cease to remember
The last look of life, and the low-whispered prayer?
O, cold be your hearts as the ice of December,
When love's tablets record no remembrances there!

Then forget not the dead, who are evermore nigh us,
Still floating sometimes to our dream-haunted bed;
In the loneliest hours, in the crowd, they are by us;
Forget not the dead! O, forget not the dead!